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# COURT AUTHORIZED NOTICE: PLEASE READ CAREFULLY. YOUR RIGHTS MAY BE AFFECTED

## UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

In Re:	)	Chapter 11
DIRECTORY DISTRIBUTING ASSOCIATES, INC., Debtor.	) }	Case No. 16-47428
	) )	

# NOTICE TO DELIVERY WORKERS OF VARIOUS MOTIONS FILED IN DIRECTORY DISTRIBUTING ASSOCIATES, INC.'S BANKRUPTCY CASE AND YOUR RIGHT TO OBJECT

You are receiving this Notice because Directory Distributing Associates, Inc.'s ("DDA's") records indicate that you delivered AT&T and/or YP telephone books for DDA between 2009 and 2015. If so, DDA's bankruptcy case may affect your rights to potentially receive money for alleged unpaid wages and overtime pay.

DDA filed for Chapter 11 bankruptcy in St. Louis, Missouri in October 2016. The bankruptcy filing stopped all lawsuits against DDA, including two lawsuits for alleged unpaid wages and overtime pay, one in Texas and one in California. As part of the bankruptcy, you might receive money, depending on how the bankruptcy case turns out.

You are getting this notice because the Bankruptcy Court has been asked to determine, among other things, the value of the delivery workers' claims in the Texas and California cases. This Notice gives you information about what is going on in the bankruptcy case, the proposed process to value delivery workers' claims and your rights to object, or tell the Court whether you agree or disagree with the proposed process.

Please read this Notice carefully and discuss it with your attorney/s. If you do not have an attorney, you may wish to consult one.

Additional information about the bankruptcy case and your rights is available on the internet at <a href="http://dm.epiq11.com/directory">http://dm.epiq11.com/directory</a>.

### WHY DID YOU RECEIVE THIS NOTICE?

The Bankruptcy Court for the Eastern District of Missouri in St. Louis authorized this Notice. This Notice is not a solicitation from a lawyer. You are not being sued.

Instead, this Notice tells you that your rights to potential unpaid wages and overtime pay might be affected in DDA's Chapter 11 bankruptcy case and tells you about facts related to those rights and the bankruptcy case.

#### WHAT DO I NEED TO KNOW ABOUT THE BANKRUPTCY CASE AT THIS TIME?

DDA's bankruptcy trustee (the "<u>Trustee</u>") has filed several documents with the Bankruptcy Court that deal with your potential claim against DDA, AT&T, and/or YP. These documents include a Chapter 11 Plan (the "<u>Plan</u>"), a Disclosure Statement for the Plan (the "<u>Disclosure Statement</u>"), a Motion to estimate your claim and other similar claims (the "<u>Estimation Motion</u>"), and a Motion to approve procedures for a hearing on the Plan and the Estimation Motion ("<u>Procedures Motion</u>").

### WHAT IS A CHAPTER 11 PLAN? WHAT IS A DISCLOSURE STATEMENT?

A Chapter 11 plan tells people owed money by a company or person in bankruptcy whether and how much they might be paid. Every Chapter 11 plan has a disclosure statement that explains the plan.

#### WHAT IS THE ESTIMATION MOTION? WHAT IS THE PROCEDURES MOTION?

The Estimation Motion asks the Bankruptcy Court to determine whether or not your claim can be determined by the Bankruptcy Court without a full trial. The Procedures Motion asks the Bankruptcy Court to set procedures for estimating your claim and to set deadlines and procedures for objecting to the Plan.

If the Bankruptcy Court approves the Estimation Motion, then the Procedures Motion asks the Bankruptcy Court to approve procedures and notices to you about when the Bankruptcy Court will have a hearing to estimate whether workers will receive any money and how much. The Procedures Motion also asks the Bankruptcy Court to set deadlines and procedures for objecting to the Plan.

If the Bankruptcy Court approves the Estimation Motion and the Procedures Motion, you will receive another notice at a later date that will include the amount at which your claim would be estimated and information on how to object to the amount. It will also include information on how you can object to the Plan.

# WHERE CAN I GET COPIES OF THE CHAPTER 11 PLAN, DISCLOSURE STATEMENT, ESTIMATION MOTION AND PROCEDURES MOTION?

You can see and download the documents filed by the Trustee for free at <a href="http://dm.epiq11.com/directory">http://dm.epiq11.com/directory</a>. You should read the documents carefully because your rights may be affected. If you have any questions about the documents, you also may call 1-888-278-8039.

#### WHAT IS GOING TO HAPPEN NEXT IN THE BANKRUPTCY CASE?

The Bankruptcy Court will hold a hearing on February 7, 2019 at 10:00 a.m. (Central Time) to consider whether to approve the Disclosure Statement and whether to approve

the Estimation Motion and the Procedures Motion. More information about this hearing is provided below.

The February 7, 2019 hearing will <u>not</u> determine the amount of your claim against DDA, AT&T and/or YP, or when your claim may be paid. What happens after February 7, 2019 depends upon whether the Bankruptcy Court approves the Disclosure Statement, the Estimation Motion and/or the Procedures Motion and what the Bankruptcy Court says in any orders on the Disclosure Statement and the Motions.

If the Bankruptcy Court grants the Estimation Motion and the Procedures Motion, one or more additional hearings will be held to determine whether you will receive money, what amount you will receive, and when it will be paid. You will receive a separate notice of any hearing and will have a right and the opportunity to object before and at any hearing.

## WHAT ARE MY NEXT STEPS?

In the meantime, you can object to the Disclosure Statement, the Estimation Motion and/or the Procedures Motion that the Bankruptcy Court will consider at the February 7, 2019 hearing if you want. The decision to object to some or all of the matters at that hearing is totally yours. Neither DDA, AT&T, YP, the Trustee nor any other party can retaliate against you if you decide to object.

### HOW DO I OBJECT TO THE MATTERS FOR THE FEBRUARY 7, 2019 HEARING?

If you want to object to the Disclosure Statement, the Estimation Motion or the Procedures Motion, you must file the objection no later than January 31, 2019.

Any objection must: (i) be in writing; (ii) state your name and address; (iii) say what you object to; and (iv) tell why you object. A form for this purpose is available for free on the internet at <a href="http://dm.epiq11.com/directory">http://dm.epiq11.com/directory</a>. You should mail your objection to the Clerk of the Court at the following address:

United States Bankruptcy Court Eastern District of Missouri 111 South 10<sup>th</sup> St., 4th Floor St. Louis, MO 63102

Attn: Directory Distributing Associates, Inc., No. 16-47428

You must mail your objection early enough so the Clerk of the Court receives it on or before January 31, 2019. You must also mail a copy of your objection so it is received no later than January 31, 2019 to:

# DDA Bankruptcy Trustee c/o Thompson Coburn LLP One US Bank Plaza, Suite 3200 St. Louis, MO 63101

If you are represented by an attorney, your attorney must file an objection through the CM/ECF system on the Bankruptcy Court's website at <a href="https://www.ecf.moeb.uscourts.gov">https://www.ecf.moeb.uscourts.gov</a>.

# WHAT IF I DO NOT OBJECT TO ANY OF THE MATTERS FOR THE FEBRUARY 7, 2019 HEARING?

You are not required to do anything if you do not object to the matters to be considered at the February 7, 2019 hearing. You may state that you do not object or that you support any or all of the matters by submitting a written statement to the Clerk of the Court, with a copy to the Trustee, at the addresses above. Any written statements of support should be mailed early enough to be received by January 31, 2019.

### WHEN AND WHERE IS THE FEBRUARY 7, 2019 HEARING AND CAN I ATTEND?

The Bankruptcy Court will hold a hearing on whether to approve the Disclosure Statement, the Estimation Motion and the Procedures Motion on **February 7, 2019 at 10:00 a.m. Central Time**. The hearing will occur before the Honorable Kathy A. Surratt-States, Chief United States Bankruptcy Judge, at the Thomas F. Eagleton United States Courthouse, 111 South 10<sup>th</sup> St., Courtroom 7 North, St. Louis, MO 63102.

You may attend the hearing if you want to be there. You will be allowed to tell the Bankruptcy Court about your objection or support so long as you submit a written objection or expression of support as described above. You do not have to attend the hearing to be eligible to receive money.

Please review the Bankruptcy Court's website at <u>www.moeb.uscourts.gov</u> before coming to the hearing to become familiar with the requirements for the Court, including directions, where you can park, disability access and the requirement to bring valid photo identification in order to enter the Courthouse.

Dated this 28th day of December, 2018.

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